

IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEBRASKA

BILLY TYLER,	)	
	)	
Petitioner,	)	8:11CV103
	)	
v.	)	
	)	
HUBER and DOUGLAS COUNTY	)	MEMORANDUM AND ORDER
DISTRICT COURT,	)	
	)	
Respondents.	)	
_____	)	

Petitioner has filed a Petition for Writ of Habeas Corpus under [28 U.S.C. § 2254](#) (Filing No. [1](#)) and a Motion for Leave to Proceed in Forma Pauperis (Filing No. [2](#)).

Habeas corpus cases attacking the legality of a person's confinement require the payment of a \$5.00 fee. [28 U.S.C. § 1914\(a\)](#). However, pursuant to [28 U.S.C. § 1915\(a\)\(1\)-\(2\)](#), and after considering petitioner's financial status as shown in the records of this Court, provisional leave to proceed in forma pauperis will be granted, but petitioner must nevertheless pay the \$5.00 fee within 60 days. The Court cautions petitioner that failure to adequately comply with this order may result in dismissal of his petition without further notice.

IT IS ORDERED:

1) The application to proceed in forma pauperis (Filing No. [2](#)) is provisionally granted, but petitioner must pay the \$5.00 filing fee by May 27, 2011.

2) The clerk of the court is directed to set a pro se case management deadline in this case with the following text:  
May 27, 2011: deadline for payment of \$5.00 filing fee.

DATED this 30th day of March, 2011.

BY THE COURT:

/s/ Lyle E. Strom

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LYLE E. STROM, Senior Judge  
United States District Court

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